

CU VOICE

June 1969

No. 7

Published in the interest of the staff of the University of California Library by the University Federation of Librarians, Berkeley Campus, AFT Local 1795 (AFL - CIO)

Allan Covici, Editor, CU Voice
Jean Hudson, Associate Editor

EDITORIAL

During the recent "state of extreme emergency" declared by the Governor of California, people who considered themselves responsible kept this university open in the face of military assault and demonstrated danger to students, faculty, staff and innocent bystanders. Among them were some library employees, who felt they had a professional responsibility to maintain library services so that those who wished to could complete their academic requirements for the term.

This was a shortsighted view. It was the view of those who pretended that business-as-usual could be carried on while a conflagration raged outside. It was the view of those who, like Chancellor Heyns, could underdescribe as "this time of tension" what large numbers of faculty members were more accurately calling "a reign of police terror." It was a dangerous illusion to act as though a library could be maintained as a scholarly sanctuary while visitors to that sanctuary might be gassed or otherwise attacked when they attempted to enter or leave it, and might even be injured when they were within its dubious shelter. Many of those who worked hard to carry on had their priorities confused and their senses dulled. Perhaps they did not hear the planes and the guns or smell the gas; presumably they would have refused to bleed if injured, on principle. They retreated to a frighteningly vulnerable ivory tower. They risked destroying what they wanted most to preserve. What they did was to encourage a threat to the public safety. They said to the students, in effect: "We are here, steadfast in the midst of intermittent danger, waiting to provide our usual services. Run the barricades; we hope you get here safely. We cannot guarantee that you will, any more than we can say when it will be safe to return to your homes. We cannot even guarantee that the sanctuary we offer will remain a sanctuary from one moment to the next. The library may be gassed -- but the gas will dissipate. Bullets may fly through windows, as they have before -- happily you will not be in the line of fire. Decide for yourselves what chances you are ready to take -- that's the democratic way. If you decide to live dangerously, as we have, the odds are that most of you will come through without a scratch. All of us are taking that calculated risk; we invite you, by our presence, to do the same. As nearly as possible, REGULAR LIBRARY HOURS WILL PREVAIL."

It would be unrealistic to ignore the economic factors that kept some people working against their deepest convictions. Some of these individuals sent letters of apology to their administrative superiors, explaining that only absolute necessity prevented them from joining those who had cried "Enough!" Some people thought they could best serve the cause of justice by staying on the job and contributing a portion of their salaries to the task of enlightening those beyond the academic community to the outrage that was being perpetrated in their midst. And there were those people who kept on working through fear of retribution, a fear no less real for the fact that the University Librarian had promised there would be no punitive action from his office. We understand and sympathize with these people, as we honor those -- mostly student library employees -- who succeeded through their actions in curtailing library operations to a measurable extent.

This was a matter of individual conscience. The University Librarian did not have the authority to close the library, and the Chancellor made it plain that he did not intend to shut down the operations of the university. No one doubts that had he done so he would have ceased to be Chancellor within twenty-four hours. Under those circumstances, it was up to each person to decide how he could best act to perform his duty as an American citizen.

The library is not a theater, where the show must go on. It is not a secular cathedral, protected by a beneficent deity and a respectful civic authority from the pressures of the world around it. And although it may be considered an expression of the freedom of the mind, it is surely not an arena where dedicated members of the library profession are expected to take up battle stations against cessation of operations, no matter what the circumstances. It is not part of professional responsibility to abet those who would subvert the educational process to their own military and political ends. It is not part of professional responsibility to become an accomplice to the brutality and unreason of police state tactics.

We use these phrases advisedly, although they would have sounded ludicrously overdrawn only a few years ago. They do not sound so ludicrous now, when across the country the guns, the planes, the gas, the entire police power is being increasingly mobilized against dissenters.

Continued on page 6

"STATE OF EXTREME EMERGENCY"

February 5, 1969. Governor Ronald Reagan declares the Berkeley Campus of the University of California to be in a "state of extreme emergency."

February 17. James E. Skipper, University Librarian, issues statement saying in part: "Some damage was done to the Subject Catalog on February 13. The Reserve Book Room catalog was seriously damaged."

February 19. Mr. Skipper issues another bulletin: "On Tuesday, February 18, another window in the Library was shattered by a rock. Had the desk immediately inside the window been occupied, serious injury could have occurred. Additional windows on campus have been broken before and after this occurrence."

The following letter is sent to Mr. William E. Wenz, Library Personnel Officer:

"We should like to call your attention to the following in the Personnel Rules for Nonacademic Employees, University of California, Rule 14.2, para. F., which reads as follows:

Public Emergency

An employee may be granted time off during a public emergency which effectively prevents his attendance at work in a normal and orderly manner. A public emergency includes either a natural disaster, such as fire, flood, or earthquake, or a manmade disorder, such as a demonstration, riot, or act of sabotage.

It is evident from recent events on campus and in the Library that "the continuance of work in a normal and orderly manner" is not now possible. That this is so was officially declared by the Governor of the State when he established that a "state of extreme emergency" exists on this campus, due to conditions such as are envisaged by the above-cited provision, under the head of "manmade disorder", resulting in a "public emergency".

While the Governor's declaration makes this "state of extreme emergency" official, we must additionally point out that the existence of this "public emergency" of "manmade disorder" has also been documented by the Daily Californian of February 19, 1969, as well as in other issues of that paper, and in other reports and observations.

In view of this officially recognized condition, the undersigned members of the Library staff hereby invoke the application of Rule 14.2F to our present situation, for leave with pay.

Edwin S. Budge
Hal Draper
Jean Hudson
Charles H. Shain

February 21. Mr. Wenz's reply to this letter stated: "The regulations established by the Chancellor for the Berkeley Campus for the implementation of this section of the rule require that 'the Chancellor shall define public emergencies within the context of this rule.' Application of the rule was not allowed and the absences of the librarians were reported as 'leave without pay.'"

Tear gas permeates the Main Library building.

The University Federation of Librarians, AFT Local 1795, sends a petition to Mr. Skipper and Chancellor Heyns which states in part: "There are conditions of violence which represent a clear and present danger to this irreplaceable institution ... the safety of staff, students and users in the Library is also deeply involved. In view of these facts, and in order to protect the Library as well as people, we petition you to close the Library until the ... conditions are ended."

February 28. Mr. Skipper releases information that "a bomb threat was phoned to the Physics Library at 2:00 PM February 19."

March 3. The librarians who had invoked Rule 14.2F send a letter to Mr. Wenz stating: "On the advice of our lawyer ... we insist that we are entitled to leave with pay starting at 6:00 PM February 19, 1969, under Rule 14.2F."

March 6. The California Library Association adopts a resolution asking the University to give leave with pay to librarians who request it, because "The Governor has declared a 'state of extreme emergency' exists on the campus of the University of California at Berkeley, and ... there is a clear danger to the library staff."

April 2. John Wagner, Campus Personnel Manager, explains in a letter to David Brunton, Executive Director of the California Library Association, that "the tempo and location of violence on campus ... has generally been restricted to a few isolated areas."

By mid-March conditions on campus had returned to normal except for the presence of police everywhere. The librarians who had invoked the Rule were back at work. They were notified by the Library Personnel Office that their records showed "failure to perform assigned duties" for the period they were out (2-3 weeks), and they were not paid for that time. Three of the librarians retained a well-known labor attorney to bring suit against the University for back pay for the time they were out. The attorney's fee was raised immediately by donations. Since the issue was the University's failure to honor its own employee safety rule when applicable, the librarians agreed to donate any monies collected to campus organizations interested in employees' welfare. This is the way matters stood until May 15.

On May 15, 1969, police and proponents of "People's Park" clashed in what turned out to be the bloodiest riot in Berkeley history. Police fired buckshot from shotguns, injuring several, killing one, and blinding another. In the days that followed, employees were clubbed and gassed on their way across campus to their jobs, and the campus was gassed from a helicopter. These events have been sufficiently detailed elsewhere. Several branch libraries were tear gassed during this period, including Agriculture Library, Education-Psychology Library and Public Health Library.

On May 19, Mr. Skipper revealed that on the previous Thursday, "a number of bullets or shotgun pellets were fired through a window of the Humanities Graduate Reading Room ... nine slugs; apparently shotgun buckshot, dented the side of the Library mail truck." On May 21, Mr. Skipper reported that the Library had received a bomb threat and that three fires had been discovered.

At a general meeting of the School of Librarianship, housed on the fourth floor of the Main Library building, the following statement was issued:

Because of the occupation of Berkeley by police and armed forces, because of the loss of life and the threat of further deaths, because we, professors and students, are being gassed daily; -- We, the undersigned students and faculty of the School of Librarianship declare our unwillingness to attend classes on this campus until peace has been achieved by the removal of police and troops.

This statement was subscribed to by nearly one hundred students and half the faculty, nearly all those present at the meeting.

Mr. Skipper informed library employees that the only alternatives to working were to take vacation leave or leave without pay. He added that library units would be closed only "when physical working conditions become intolerable In the case of tear gas, for example, which usually clears up in about an hour."

By now several hundred University employees had refused to come to work and had invoked Personnel Rule 14.2F, despite Vice-Chancellor Campbell's May 23 statement that the Chancellor did not plan to do so "as some employees have requested." AFSCME Local 1695 (the union of clerical, technical and professional employees) stated on May 26: "If Rule 14.2F does not apply to the conditions prevailing on this campus since the first day of conflict, then the rule cannot apply to any situation and is thus fraudulent and useless."

Three other unions besides AFSCME Local 1695 support the lawsuit instituted by the three librarians: AFT Local 1474 (faculty); AFT 1570 (Teaching Assistants); and AFT Local 1795 (librarians). In addition, the Executive Committee of the Central Labor Council of Alameda County, meeting on May 26, resolved that the Council would do whatever was necessary to aid union members in their fight to get paid leave from the University under Personnel Rule 14.2F.

June 2. Governor Ronald Reagan ends the "state of extreme emergency."

June 5. Rule 14.2F was revised to state that only the Chancellor may declare a state of public emergency during which time employees may be granted time off with pay.

Enucleate, v.t. [L. enucleatus, past. part. of enucleare to remove a kernel from, to clarify] ... 3. med: to remove without cutting into (a tumor) (the eyeball). (Webster's Third International Dictionary. Unabridged.)

In an examination of 13 cases on file in the Armed Forces Institute of Pathology¹ Drs. Levine and Stahl made the "unusual finding that half of the enucleations in this series were performed three or more years after the original injury. Their "Summary" stated (pp. 504-5): "This article reports findings from a study of 14 eyes enucleated following injury by a tear-gas weapon. Five of the eyes were removed shortly after injury, revealing necrosis of the interior segment, an intense necrotizing keratitis of varying degree, and an associated iridocyclitis. Undoubtedly these changes represented the acute chemical damage of tear-gas.... The remaining nine eyes were enucleated up to 15 years following injury, and the findings in these chronic cases can best be attributed to the sequelae of neuroparalytic keratopathy, probably related to the neurotoxic effects of tear-gas."

These Armed Forces doctors had previously noted that: "... (1) The medical literature does not emphasize the potential of a tear-gas weapon to produce permanent sequelae ... (2) the public and legal authorities regard exposure to tear gas only in terms of its transient incapacitating effects; and (3) because of its indiscriminate and widespread distribution among civilians, it is likely that injuries of the eye from tear-gas weapons will be more frequently encountered in the future."

¹Robert A. Levine, Captain (MC) USA, and Charles J. Stahl, Commander (MC) USN, Washington, D.C. "Eye Injury Caused by Tear-Gas Weapons," American Journal of Ophthalmology, Vol. 65, No. 4 (April 1968) pp. 497-508)

"Downtown Berkeley is now a proven battleground on which volleys of gunfire have been numerous and occasionally deadly, and the city has experienced a kind of total war in which an aerial gas attack over-spread the target area to invade classrooms, private homes and a hospital The involved authorities have created a vast credibility gap The use of a helicopter to drop gas on an assembly of students was a piece of arrant recklessness at that time and place They ... have outraged public opinion."

S. F. Chronicle editorial, "Vietnam Tactics in Berkeley," 22 May 1969

A CHRONOLOGY OF INACTION

July 1962 President Kerr: Effective July 1, 1962, professional librarians will be classified as academic employees and will come under the jurisdiction of the Academic Personnel Office.

President Kerr: The change from nonacademic to academic status will not affect existing fringe benefits and working conditions.

Nov. 1965 President Kerr: Under this (foregoing) statement, it was intended that any grievance of professional librarians would continue to be governed by, and processed in accordance with, Nonacademic Personnel Rule 26 and campus regulations implementing that rule. It was also intended that all other nonacademic rules not inconsistent with the new classification and salary compensation plan announced in the July 2 memorandum would continue in effect until completion of a study covering all non-faculty academic appointees including librarians.

President Kerr announces study being conducted by Vice-President Wellman and Vice-President Angus Taylor with assistance of University Hall staff on grievance procedures and related subjects affecting all non-faculty academic appointees. (As of June 1969, there has been no report about the progress of this study.)

University counsel Milton Gordon, in response to Judge Karesch's question in a court case involving the dismissal of a librarian: "Is it your position that they (the University) can fire anybody they want to at any time they want to?" stated: "Yes, if she has no tenure of employment, if she has no contract of employment for any given term."

June 1966 John Wagner, Campus Personnel Manager, admitted the necessity of "squawking" to get attention and, hopefully, improvements in conditions.

July 1966 UFL submits Proposed Grievance Procedure for Non-Teaching and Non-Senate Academic Employees of the University of California.

Aug. 1966 Two statewide committees appointed: the Special Committee on Non-Senate Academic Ranks (the Spiess Committee), appointed by the Academic Senate; and the President's Special Administrative Committee on Non-Senate Academic Personnel (the Hoos Committee), appointed by President Kerr.

April 1967 UFL statement to Hoos Committee, an unprecedented public hearing scheduled after union request.

Statewide Library Council of the University announces a subcommittee formed to investigate question of substantive academic status for professional librarians. It would inform Spiess and Hoos committees of results of its investigations.

May 1967 Statewide Library Council subcommittee releases innocuous memo after Spiess Committee report completed.

UFL sends detailed response to Spiess Committee Report to members of Statewide Assembly of the Academic Senate, University of California.

Professor F. N. Spiess, Chairman of the Special Committee, presents 15-page Report to members of the Statewide Assembly of the Academic Senate. Report referred to four Assembly committees: Privilege and Tenure, Academic Freedom, Educational Policy, and Budget Committees, directed to report back to Assembly at next meeting in October 1967.

July 1967 Log jam on promotion of non-administrative librarians broken by a number of reclassifications from Librarian II ranks. (This breakthrough furthered by additional reclassifications in July 1968)

Aug. 1967 Working Paper No. 1: Librarian Classification and Pay Plan released by Personnel Subcommittee of the Library Council. UFL responds that the views presented are primitive, simplistic and evasive.

Nov. 1967 Chancellor's Office releases copies of Interim Appeals Procedure for Non-Senate Academic Appointees, an administrative proposal arrived at with no consultation with librarians affected by it.

Jan. 1968 UFL letter to Vice-Chancellor Cheit protesting elimination of librarian participation in selection of hearing committee in Appeals Procedure.

March 1968 UFL letter to Vice-Chancellor Cheit protesting Interim Appeals Procedure "unsatisfactory to us in a number of ways," some of them detailed.

April 1968 UFL letter to Campus Personnel Office reminding Mr. Wagner of phone conversation of March 12, 1968, when he stated that arbitration of grievances was out of the question and that discussion was futile unless union had something new to offer. The concluding sentence of the letter: "Does the University in fact wish to close the door on the possibility of any meaningful revision of these rules?" Despite reminders to Mr. Wagner, no reply one year later.

Working Paper No. 2: Proposal for Restructuring the Classification and Salary Plan for University of California Library Staff. UFL applauds incorporation into paper of some substantive ideas forwarded in UFL's reply to Working Paper No. 1, and adds additional four pages of constructive criticism.

August 1968 UFL presents 14-page Library Improvement Program to James E. Skipper, newly-appointed University Librarian.

Oct. 1968 Mr. Skipper appoints Task Force on academic personnel problems, essentially a study of the UFL Library Improvement Program. After protest by the UFL on the composition of the committee, an additional two members selected by the staff were added.

Jan. 1969 UFL sends to Mr. Skipper resume of meetings held with him by the committee to discuss the Library Improvement Program.

Feb. 1969 New committee established by the Chancellor: Joint Ad Hoc Study Committee on Non-Senate Academic Personnel Matters, directed to review recent studies and reports and to consider establishing "consultative machinery".

June 1969 "Report of the Task Force on Academic Library Personnel," dated 11 June 1969, sent to staff members by Mr. Skipper.

June 1969 No evidence of any significant change to date in the status of UC librarians.

Salaries Still at the Bottom

CU Voice, No. 2, October 1965, carried a table comparing California institutions' librarians' salaries with the University of California librarians' salary scale. The table is now brought up-to-date citing available statistics.

California institutions	Terms of employment (months)	Beginning salary 5th year degree
Abriendo Coll.	9-10	7,969
Abbot Coll.	9-10	8,709
El Anza Coll.	9-10	8,290
San Jose City Coll.	9-10	7,880
San Francisco State Coll.	9-10	8,670
San Diego State Coll.	9-10	7,984
San Jose City Coll.	9-10	9,000
San Jose State Coll.	9-10	7,450
San Jose State Coll. Fullerton and Hayward	11-12	7,932
San Jose State Coll.	11-12	7,200
University of Redlands	11-12	7,500
University of California	11-12	7,164

The above figures were taken from U.S. Office of Education, Library statistics of colleges and universities, 1967-68. Institutional data. 1968.

"With citizens being shot down in the streets and tear-gassed from the sky, people can no longer go about their ordinary business in safety." Berkeley Coalition Chairman, Charles Sellers.

S. F. Chronicle, 24 May 1969

Library Improvement Program: A Progress Report

On August 12, 1968, the University Federation of Librarians submitted a 14-page position paper entitled Library Improvement Program to Mr. James E. Skipper, University Librarian. The Program lists needed improvements in professional working conditions and library services formulated and adopted by the UFL over a period of many months. Of the 104 points in the Program, about one-half are concerned with professional conditions. The other half are concerned with library services, personnel practices, health and welfare, and 5 points have to do with the treatment of employee organizations. During the fall of 1968 a UFL committee had a series of meetings with Mr. Skipper to discuss the elements of the Program. On January 10, 1969, the committee submitted to Mr. Skipper a report of its sense of the meetings, to which he replied on April 7 that he was waiting until his Task Force on Academic Status had completed the first draft of its report. This Task Force was set up by Mr. Skipper in October 1968 to prepare the prototype of a handbook for UCB librarians. Its report is expected by both the UFL and Mr. Skipper to include most of the substantive issues of the Program.

We are now waiting for the final revision of the Task Force report to be made available before resuming discussions with Mr. Skipper on items from our Program not included in the Task Force report as well as any items in the report with which we are not in agreement. In the meantime, some of the less complex items from our Program have been implemented by Mr. Skipper:

1. The regulation regarding auditing of courses on library time has been clarified and restrictions on the relevance of courses to work relaxed.
2. Travel and per diem funds are being made available to librarians with business at library conferences and meetings even though they are not directly representing library administration.
3. Job openings (Librarian III up) in non-Berkeley UC libraries are being announced regularly.
4. The regulation regarding the hiring of relatives within the library system is being relaxed.
5. Semi-annual notices of sick and vacation leave balances are now being distributed to all appointed library personnel.
6. Librarians may use office equipment such as desks and typewriters for professional activities on their own time.

Assemblyman John L. Burton: The San Francisco Democrat said the State's actions in Berkeley are "the kind of thing we condemned in Hungary and Czechoslovakia."

S. F. Chronicle, 24 May 1969

CONTINUED FROM PAGE 1

Berkeley is only one of many communities where official savagery has appalled even the complacent. The parallels are being drawn, ever more accurately, with Nazi Germany. Mention has been made of the "good Germans" under Hitler, who carried on humanitarian duties for the state in the shadow of the concentration camps, carefully averting their eyes from the unpleasant realities it might have been dangerous to acknowledge. Mention has been made of the people who thought it couldn't happen to them -- until it happened.

Librarians are citizens, too. They have a responsibility to the members of the institutions for which they work, of course, but they have a duty as citizens which far transcends the accomplishment of their business-as-usual tasks. The pros and cons in the matter of the People's Park pale into insignificance beside the monstrously disproportionate ferocity manifested by the military. The distinguished professors who declined to contribute their services to a university which by its silence condoned the terror tactics it was partly responsible for unleashing were aware of their responsibilities and understood how

they could best fulfill them. Those professors, and the hundreds of other employees and students who joined them, know their true responsibilities lie, not merely with their academic colleagues, but also with the citizens of Berkeley and all the other towns and cities of the United States.

There is an important group which remains firmly convinced that official repression, at whatever cost to life or freedom, is indeed the answer: that there is no alternative to large-scale civilian dissent, with its occasional violence and excess, except the unleashed power of the state, with its far greater and by-now thoroughly documented capacity for physical and moral lawlessness. We urge these people to read the world-wide reaction to the brutal and unprecedented events in Berkeley. We urge them to examine the frightening parallels to our own time in earlier 20th century history, to understand the danger that threatens our democratic institutions, and to join us, when the next crisis occurs, in our fight against the degradation of those traditions which are theirs as much as ours.

The Governor conceded that use of a helicopter spraying tear-gas to clear crowds from the Berkeley central campus Thursday [May 15] may have been a "tactical mistake." But "once the dogs of war are unleashed, you must expect things will happen, and people being human will make mistakes on both sides."

S. F. Chronicle, 22 May 1969

Episcopal Bishop C. Kilmer Myers, who described himself as "an old-fashioned conservative," described Governor Ronald Reagan as "the one who has unleashed the dogs of war in Berkeley ... a full-scale military operation replete with strong-armed and brutal methods which I as a student observed in Germany in 1939

S. F. Chronicle, 26 May 1969

CU Voice
P. O. Box 997
Berkeley, California 94701